

██████████ Response to Preliminary Investigators Report

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1. **Summary Response.** ██████████ assertion that she was assaulted at Party 2 and in her dorm room is inconsistent with her admission that she voluntarily kissed ██████████ in her dorm room and then willfully performed oral sex. ██████████ and ██████████ both witnessed ██████████ performing oral sex on ██████████ and reported that “she was doing all the work” and that everything appeared fine.

██████████ witnessed ██████████ and ██████████ “all over each other” at Party 2. He also stated that ██████████ was grinding on ██████████. ██████████ also reported that ██████████ was “all over ██████████”. When leaving Party 2, ██████████ stated that, based on her observations, ██████████ “still liked ██████████”. ██████████ was in the presence of several friends at Party 1, Party 2, and on the walk to Meredith Hall. At no time did she state to anyone that she was uncomfortable. In contrast, ██████████ admitted ██████████ into her dorm room and proceeded to perform oral sex on ██████████.

2. **Response to Facts Alleged in Report.**

- a. ██████████ stated they each had 1 shot. ██████████ said she had one shot and ██████████ and ██████████ had 2-3 shots. **Analysis: Slight inconsistency in pre-party alcohol consumption.**
- b. At party 1 ██████████ states she and ██████████ consumed 3 solo cups of beer each and ██████████ consumed one more shot of vodka. ██████████ states she and Haner consumed 1-2 solo cups of beer each and ██████████ consumed 4-5 shots of vodka at party 1. ██████████ stated her friends drank from the keg and she drank from her party mix. **Analysis: level of stated alcohol consumption is inconsistent.**
- c. ██████████ reported consuming a total of 5 cans of beer. ██████████ and ██████████ reported ██████████ had a few beers at party 1. ██████████ and ██████████ stated ██████████ was tipsy. ██████████ stated ██████████ as “drunk, but not very drunk”. ██████████ thought ██████████ was intoxicated. ██████████ also described ██████████ as “not stumbling”. **Analysis: Level of alcohol consumption/ intoxication is consistent.**
- d. At party 2 ██████████ stated ██████████ and ██████████ were “drunk, but not smashed”. ██████████ stated ██████████ as “extremely intoxicated”. ██████████ stated ██████████ and ██████████ both had a few more shots of vodka at party 2. **Analysis: Contradicting level of intoxication by witnesses.**
- e. ██████████ states ██████████ gave signals telling ██████████ she didn’t want to be with ██████████ anymore yet given the opportunity to leave ██████████ did not, nor did she verbalize

any discomfort to [REDACTED]. **Analysis:** If [REDACTED] was as uncomfortable as she claims she was given a clear and convenient way to leave [REDACTED] that would not cause a scene why did she not choose to do so?

- f. In the kitchen [REDACTED] states she was comfortable with the kissing. As things progressed she claims to have tried to push [REDACTED] away subtly, but did not want to make a scene. [REDACTED] also claims [REDACTED] was present with [REDACTED] in the room. **Analysis:** Why would [REDACTED] now feel comfortable kissing [REDACTED] when previously she had stated she was uncomfortable dancing with him and being around him? Also she claims to be uncomfortable with the situation yet does not verbalize any discomfort with [REDACTED] nor does she verbalize or obtain the attention of [REDACTED] her “best friend” who was apparently visibly present to be in the kitchen (the same room) as [REDACTED] and [REDACTED] at the time.
- g. [REDACTED] states she was uncomfortable with [REDACTED] at party 2 claiming [REDACTED] was “aggressive” yet chooses to “let it slide”. [REDACTED] tells [REDACTED] to wait for her and that a friend would walk them back yet [REDACTED] leaves with [REDACTED] anyways. [REDACTED] checks in with [REDACTED]. [REDACTED] stated later she had a “bad feeling” about [REDACTED] based on how aggressive he had been with [REDACTED] earlier and she did not want to see [REDACTED] leave with [REDACTED]. **Analysis:** If the actions of [REDACTED] at party 2 had made [REDACTED] so uncomfortable and [REDACTED] had been aggressive as [REDACTED] claims why did she choose to walk with [REDACTED] anyways. Also if the actions of [REDACTED] were aggressive towards [REDACTED] as [REDACTED] describes it why did she choose not to verbalize or express her concerns to [REDACTED] when [REDACTED] “checked in with her”.
- h. On the walk between party 2 and third street suites [REDACTED] and [REDACTED] recall [REDACTED] talking about a previous party during BGR during which she was forced to perform oral sex on a black male. [REDACTED] and [REDACTED] both deny the conversation ever took place. **Analysis: Contradicting stories.**
- i. From the walk to Third Street to Meredith Hall [REDACTED] stated [REDACTED] was “grabbing again” and that [REDACTED] tried to kiss her and that she just wanted to go home. No statement from [REDACTED] or [REDACTED] is made about this incident. [REDACTED] swipes [REDACTED] and [REDACTED] into the residence hall and her room. **Analysis:** [REDACTED] had supposedly been uncomfortable by [REDACTED] actions during the walk merely moments before arriving at Meredith Hall. Despite her apparent discomfort with [REDACTED] throughout the evening so far and her discomfort with [REDACTED] only moments before arriving to Meredith she still swipes [REDACTED] into the dormitory and even leads him to her room. Also [REDACTED] and [REDACTED] do not note any “grabbing again” actions. Given the most convenient excuse to separate herself from [REDACTED] by only using her PUID to let herself in [REDACTED]

still chooses to let [REDACTED] in to the dorm with her despite her apparent discomfort with him and his actions throughout the evening.

- j. While in Meredith Hall [REDACTED] and [REDACTED] opened the door to [REDACTED]'s room and saw [REDACTED] performing oral sex on [REDACTED]. [REDACTED] states that [REDACTED] was "doing all the work". [REDACTED] states she thought everything was fine. [REDACTED] states she agreed to perform oral sex on [REDACTED]. **Analysis: Witnesses from both parties confirm that [REDACTED] was giving [REDACTED] oral sex. [REDACTED] even states she agreed to oral sex with [REDACTED]. Again however I think that its worthy to point out that if there had been so many previous aggressive actions that made [REDACTED] feel uncomfortable being around why would she not only state she was "okay" with "making out" but also agree to oral sex?**
- k. The account of events by [REDACTED] of the events that happened in [REDACTED]'s dorm room differ from the account of events that happened in [REDACTED]'s dorm room by [REDACTED]. [REDACTED] in her statement says she on several occasions tried to move away from him while they were in the dorm room. **Analysis: [REDACTED] states she tried to move away from [REDACTED] although she does not state that [REDACTED] grabbed her, pinned her down, or prevented her from leaving in any way at all. She does not approach or more towards the door which is merely only several feet from where [REDACTED] is. If [REDACTED] had really been as uncomfortable with the situation as she has expressed why didn't she tell [REDACTED] to leave or approach the exit herself?**
- l. [REDACTED] recalls [REDACTED] stating that [REDACTED] had pushed her back into the corner or something like that. [REDACTED] states that [REDACTED] told her that she had a gash on her leg but that [REDACTED] did not recall how she got the gash. [REDACTED] reportedly told her that she may have bumped up against something and she thought it might have happened in her dorm room. According to [REDACTED] [REDACTED] brushed off the gash like it was "no big deal". **Analysis: Conflicting statements regarding the source of the gash by witnesses. Initially when asked about the gash no concern is expressed by [REDACTED]. When confronted by her friends about the gash her friends recall differing explanations for the gash.**
- m. Appendix 14 [REDACTED] states [REDACTED] never shared any details about being thrown to the ground or possibly strangled by [REDACTED]. [REDACTED] also mentioned that [REDACTED] did not mentioned [REDACTED] putting his hands on her neck. **Analysis: The statements from [REDACTED] and [REDACTED] support that strangulation or use of force to keep [REDACTED] from leaving did not occur.**

- n. In the text messages between [REDACTED] and [REDACTED], [REDACTED] texts [REDACTED] and tells her "don't tell [REDACTED] the guy's name if he asks". **Analysis:** I was "followed" on Instagram by an individual named [REDACTED] nearly two weeks prior to August 30<sup>th</sup> 2018. It can be seen through [REDACTED]'s Instagram biography that he is from Indiana, attends the University of Alabama, and [REDACTED] and [REDACTED] are mutual followers of him (meaning they follow him on Instagram and he follows them). While it is only speculation [REDACTED] that [REDACTED] is referring to is [REDACTED] and that he may have a strong connection to [REDACTED] and/or [REDACTED] and maybe even the investigation.
- o. Regarding the events described by [REDACTED] and [REDACTED]. **Analysis:** The events described by [REDACTED] and [REDACTED] are inconsistent and irrelevant. The events they described either happened another night or didn't happen at all.